

United States Bankruptcy Court
Eastern District of Pennsylvania

In re:
David Adenaike
Debtor

Case No. 16-13307-amc
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-2

User: John
Form ID: pdf900

Page 1 of 1
Total Noticed: 8

Date Rcvd: Oct 16, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 18, 2019.

cr +WELLS FARGO BANK, N.A., P.O. Box 29482, Phoenix, AZ 85038-9482

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

db +E-mail/Text: adekmoss@gmail.com Oct 17 2019 03:34:33 David Adenaike, 1036 Pine Street, Darby, PA 19023-2000

smg E-mail/Text: megan.harper@phila.gov Oct 17 2019 03:34:20 City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595

smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 17 2019 03:33:57 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946

smg +E-mail/Text: usapae.bankruptcynotices@usdoj.gov Oct 17 2019 03:34:12 U.S. Attorney Office, c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404

cr E-mail/Text: megan.harper@phila.gov Oct 17 2019 03:34:20 City of Philadelphia, Law Department, c/o Megan N. Harper, 1401 JFK Blvd. Room 580, Philadelphia, PA 19102

cr +E-mail/Text: duffyk@co.delaware.pa.us Oct 17 2019 03:34:26 Delaware County Tax Claim Bureau, Government Center, 201 W. Front Street, Media, PA 19063-2708

cr E-mail/Text: creditsolutiongroup@fmfcu.org Oct 17 2019 03:33:37 Franklin Mint Federal Credit Union, 5 Hillman Drive, Suite 100, Chadds Ford, PA 19317
TOTAL: 7

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 18, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 16, 2019 at the address(es) listed below:

ANDREW SPIVACK on behalf of Creditor Toyota Motor Credit Corporation paeb@fedphe.com

ANTHONY ST. JOSEPH on behalf of Creditor United States of America on Behalf of IRS
anthony.stjoseph@usdoj.gov, mardella.suarez@usdoj.gov, CaseView.ECF@usdoj.gov

BRETT ALAN SOLOMON on behalf of Creditor PNC Bank, National Association
bsolomon@tuckerlaw.com, agilbert@tuckerlaw.com

CORINNE SAMLER BRENNAN on behalf of Creditor Franklin Mint Federal Credit Union
cbrennan@klehr.com, swenitsky@klehr.com

JACK K. MILLER on behalf of Trustee WILLIAM C. MILLER, Esq. philaecf@gmail.com,
ecfemails@phl3trustee.com

JASON BRETT SCHWARTZ on behalf of Creditor Philadelphia Federal Credit Union
jschwartz@mesterschwartz.com

JILLIAN NOLAN SNIDER on behalf of Creditor PNC Bank, National Association
jsnider@tuckerlaw.com, agilbert@tuckerlaw.com

KEVIN G. MCDONALD on behalf of Creditor Toyota Motor Credit Corporation
bkgroup@kmlawgroup.com

LEONARD B. ALTIERI, III on behalf of Creditor Delaware County Tax Claim Bureau
laltieri@toscanigillin.com

MEGAN N. HARPER on behalf of Creditor City of Philadelphia megan.harper@phila.gov,
karena.blaylock@phila.gov

ROGER V. ASHODIAN on behalf of Debtor David Adenaike ecf@schollashodian.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM C. MILLER, Esq. ecfemails@phl3trustee.com, philaecf@gmail.com

TOTAL: 13

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

DAVID ADENAIKE, : **CHAPTER 13**
: **Debtor.** : **BANKRUPTCY NO. 16-13307-amc**

ORDER

AND NOW, upon consideration of the Debtor's Amended Motion to Sell Properties Free and Clear of Liens Pursuant to 11 U.S.C. §363(f), and any responses thereto, and after notice and hearing, it is hereby **ORDERED** that:

1. The Motion is **GRANTED**.
2. Pursuant to 11 U.S.C. §363(f)(3), the Debtor is authorized to sell the real properties located at 6140 Vine Street, Philadelphia, PA 19139, and 7431 Elmwood Avenue, Philadelphia, PA 19153 (collectively "the Properties"), free and clear of liens pursuant to 11 U.S.C. §363(f), with all liens to be paid at closing or sufficient funds held by the title agency in escrow for any disputed portion thereof, for the sale prices of \$85,000.00 and \$80,000.00, respectively, to the Buyer, Jacqueline Cooper.
3. At the closing, the closing agent/title clerk shall pay ordinary and usual settlement costs including those related to transfer taxes, notary services, deed preparation, express shipping, surveys, municipal certifications and any other routine costs.
4. At the closing, the closing agent/title clerk shall pay in full all undisputed secured claims to all such creditors.
5. At the closing, the closing agent/title clerk shall also pay the undisputed portion of any disputed claims to the Department of Treasury – Internal Revenue Service and State Financial Network, LLC, and to any other creditors for which claims are disputed. The amount of the undisputed portion of each such creditor's claim and the

amount to be escrowed are as follows:

<u>Creditor</u>	<u>Amount to be Disbursed</u>	<u>Escrow Amount</u>
Internal Revenue Service	\$ 46,678.91	\$ 13,874.07
State Financial Network, LLC	\$ 40,457.37 ¹	\$ 12,894.85
City of Philadelphia (Claims 29, 30)	\$ 9,262.21	\$ 0.00
City of Philadelphia (Post-Petition)	\$ 14,543.92 ²	\$ 0.00

6. In addition to making the disbursements to secured creditors as set forth in paragraph 5 above, which disbursements are sufficient to pay the balance due under all liens of the City of Philadelphia on the Properties, as those lien amounts are updated as indicated in footnote 1, the closing agent/title clerk shall promptly pay the balance due under all liens of the Internal Revenue Service and State Financial Network, LLC on the Properties necessary to give clear title to the Buyer, as the amounts of such liens are ultimately determined by the Court.
7. All liens not paid in full, or the unpaid portions thereof, shall attach to the remaining proceeds of the sale to the same extent and with the same priority that existed immediately prior to the sale.
8. The closing agent/title clerk shall retain all of the remaining proceeds and hold such proceeds in escrow, or if the closing agent/title clerk prefers not to act as escrow agent, shall tender the funds to counsel for the Debtor to be held in counsel's client trust account, pending further Order of Court.

BY THE COURT:



Date: October 16, 2019

HONORABLE ASHELY M. CHAN
UNITED STATES BANKRUPTCY JUDGE

¹ Interest at \$6.70 per diem will be added to this figure for each day between September 12, 2019, and the date of settlement.

² Updated totals will be requested from amountdue@phila.gov and wateramountdue@phla.gov within 10 days of settlement.